

The Gazette of India

EXTRAORDINARY PART II—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY

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MINISTRY OF FOOD AND AGRICULTURE (Department of Food)

ORDER

New Delhi, the 6th November 1959

G.S.R. 1237/Ess.Com.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), as in force in India and as applied to the State of Pondicherry and in supersession of the order of the Government of India in the Ministry of Food and Agriculture No. G.S.R. 877/Ess.Com., dated the 27th July, 1959, published in Part II—Section 3—Sub-section (i) of the Extraordinary Gazette of India, dated the 27th July, 1959, the Central Government hereby makes the following order, namely:—

1. Short title, extent and commencement.—(1) This Order may be called the Sugar (Movement Control) Order, 1959.

(2) It extends to the whole of India except the State of Jammu and Kashmir and to the State of Pondicherry.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) “export” means to take or cause to be taken from any place—

(i) within the region comprising the State of Pondicherry and the State of Madras to any place outside that region; or

(ii) within any other State to any place outside that other State;

(b) “State Government”, in the case of a Union Territory, means the Administrator of the Union Territory;

(c) “sugar” means any form of sugar containing more than 90 per cent of sucrose including khandsari sugar, sugar candy and bura sugar and any sugar of crystalline structure.

3. Restrictions on export of sugar.—No person shall export or attempt to export or abet the export of sugar except—

(1) under and in accordance with a permit issued by Chief Director, or a Director or a Deputy Director in the Directorate of Sugar and Vanaspathi, Ministry of Food and Agriculture, or by any other officer of the Central or the State Government empowered by the Central Government in this behalf; or

- (ii) under the authority of a direction issued under clause 6A of the Sugar (Control) Order, 1955, directing a producer to supply sugar to a person or organisation carrying on business, or an officer of the Government with headquarters at a place outside the State in which the factory is situated:

Provided that this clause shall not apply to the export of Khandsari Sugar from the State of Uttar Pradesh.

4. Saving.—Nothing in clause 3 shall apply to the export of sugar—

- (i) not exceeding one seer in weight in the aggregate by a *bona fide* traveller as part of his luggage; or
(ii) on Central Government account; or
(iii) under and in accordance with Military Credit Notes.

5. Powers of entry, search, seizure, etc.—(1) Any person authorised in this behalf by the Central or the State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with:—

- (a) stop and search, or authorise any person to stop and search any person, boat, motor or any vehicle or receptacle used or capable of being used for the export of sugar;
(b) enter and search and authorise any person to enter and search any place;
(c) seize or authorise the seizure of any sugar in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened, along with the packages, coverings or receptacles in which such sugar is found or the animals, vehicles, vessels, boats or conveyances used in carrying such sugar and thereafter take or authorise the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

6. Repeal.—The Delhi Sugar (Export Control) Order, 1959, is hereby rescinded.

[No. 1-14/59-S.P.Y.]

AMEER RAZA, Jt. Secy.